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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/606,555	06/29/2000	Peter H. Seckel	7954/1	6891

7590                    01/09/2002

Michael R Friscia  
Wolff & Samson  
5 Becker Farm Road  
Roseland, NJ 07068-1776

EXAMINER

LONEY, DONALD J

ART UNIT	PAPER NUMBER
1772	6

DATE MAILED: 01/09/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.	Applicant(s)	
09/606555	Sect-1	
Examiner	Group Art Unit	
D. Luney	1772	

**—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—**

### **P**eriod for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### **S**tatus

- Responsive to communication(s) filed on \_\_\_\_\_
- This action is FINAL.
- Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

### **D**isposition of Claims

- Claim(s) 1- 27 is/are pending in the application.
- Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- Claim(s) \_\_\_\_\_ is/are allowed.
- Claim(s) 1- 27 is/are rejected.
- Claim(s) \_\_\_\_\_ is/are objected to.
- Claim(s) \_\_\_\_\_ are subject to restriction or election requirement

### **A**pplication Papers

- The proposed drawing correction, filed on \_\_\_\_\_ is  approved  disapproved.
- The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner
- The specification is objected to by the Examiner.
- The oath or declaration is objected to by the Examiner.

### **P**riority under 35 U.S.C. § 119 (a)-(d)

- Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d).
- All  Some\*  None of the:
  - Certified copies of the priority documents have been received.
  - Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - Copies of the certified copies of the priority documents have been received  
in this national stage application from the International Bureau (PCT Rule 17.2(a))

\*Certified copies not received: \_\_\_\_\_

### **A**ttachment(s)

- Information Disclosure Statement(s), PTO-1449, Paper No(s). 2  Interview Summary, PTO-413
- Notice of Reference(s) Cited, PTO-892  Notice of Informal Patent Application, PTO-152
- Notice of Draftsperson's Patent Drawing Review, PTO-948  Other \_\_\_\_\_

## Office Action Summary

Art Unit: 1772

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

2. (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
3. Claims 1, 4, 5, 6, 11, 17 and 27 are rejected under 35 U.S.C. 102(b) as being anticipated by any of Hurt, Hale or Shuert.

All of the above teach multi-layered films containing dome structures. Refer to Fig. no. 4 in Hurt. Refer to fig. Nos. 6, 9 and 10 in Hale. Refer to Fig. Nos. 3, 5 and 12 in Shuert.

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2, 3, 7-10, 12-16 and 18-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over any of Hurt, Hale or Shuert as applied above in view of Seksaria.

The primary references fail to teach the varying size and/or shape of the domes in order to conform to different sized articles.

Sekswaria teaches to form domes of varying size and shape in order for the sheet to conform to different shaped articles. Refer to the Abstract, Fig. Nos. 2-4 and column 1, lines 60 through column 2, line 32.



Art Unit: 1772

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to the primary references to vary the shape and/or size of the domes, as taught by Seksaria, for the purpose of the sheet being able to conform to different size objects.

6. Any inquiry concerning this communication should be directed to Ex. D. Loney at telephone number (703) 308-2416.

D. Loney  
DONALD J. LONEY  
PRIMARY EXAMINER

Ex. D. Loney/om  
December 22, 2001